

supply. An Emergency Order directs the logger or operator to immediately cease the logging operation and implement corrective measures. Any operator or logger who is deemed by the Kentucky Division of Forestry to be a bad actor under KRS 149.344(8) or violates 149.342(1) may, after the opportunity for an administrative hearing, be assessed a civil penalty not to exceed \$1,000 for each violation.

Out-of-State Loggers:

- * Must attend the Kentucky Master Logger Program or an equivalent training program. Alternative training programs must be approved by the Kentucky Division of Forestry.
- * Must complete six hours of continuing education every three years.
- * Must submit a reciprocity application to the Kentucky Division of Forestry. Once an application is approved, a logger will be issued a Kentucky Master Logger Designation Card. Designation cards must be available upon request along with a photo ID.

For a reciprocity application, contact the Kentucky Division of Forestry at (502) 564-4496.



627 Comanche Trail
Frankfort, KY 40601
Phone: 502-564-4496
www.nr.state.ky.us/nrepc/dnr/forestry/dnrdof.html



Natural Resources and
Environmental Protection Cabinet



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A Logger's Guide to the Kentucky Forest Conservation Act



***Kentucky
Forest Conservation
Act***

Required:

- * All commercial timber harvesting operations to have a Master Logger ON SITE AND IN CHARGE. The Master Logger in charge must have a Master Logger Designation Card and photo ID.
- * Use of APPROPRIATE BMPs.
- * Correct damage to land and water.
- * Master Logger to provide a published phone number.

Not Required:

- * A permit or notice of intent to harvest.
- * Every logger on site to be a Master Logger.

Activities Not Affected:

- * Cutting firewood.
- * Cutting Christmas trees.
- * Clearing for highway or utilities unless timber is sold.
- * Cutting timber by an individual nonindustrial landowner on his own land, if cut by landowner himself.
- * Clearing for coal mining or farm purposes.

Inspection Process:

All known logging operations will be inspected. Logging sites will be inspected by Kentucky Division of Forestry personnel. Inspectors will be looking for current or potential water quality problems and will be enforcing KRS 149.342 and KRS 149.344.

KRS 149.342:

- * Starting July 15, 2000, all commercial timber harvesting operations must have a logger on site and in charge who has successfully completed the Master Logger Program.
- * Six hours of approved continuing education are required every 3 years to maintain Master Logger designation.
- * Loggers who have completed the Master Logger Program prior to July 15, 2000, are considered to be in compliance.
- * Horse and mule loggers are not required to have a Master Logger but are required to use appropriate BMPs.

KRS 149.344:

- * Starting July 15, 2000, a logger or operator must use appropriate BMPs at timber harvests. (Minimum BMP

requirements can be found in *The Kentucky Agriculture Water Quality Plan* on pages 12-39.)

- * No logger or operator shall conduct any timber harvesting operation in a manner that is causing or will likely cause water pollution.

Enforcement Process:

The enforcement process begins when an inspector finds a timber harvesting operator in violation of KRS 149.344. The enforcement process can be up to four steps.

1. Written Warning.
2. Informal Conference.
3. Notice of Violation.
4. Special Order (order to cease all or portion of the timber harvesting operation.)

A reasonable period for abatement and compliance is granted for each enforcement step. Violators of KRS 149.342 can be issued an Emergency Order. An Emergency Order can also be issued at any time during a timber harvesting operation, if the logger or operator is harvesting in a manner that is likely to cause water pollution that will present imminent or substantial danger to the health, safety, or welfare of the public, animals, aquatic life, or to a public water